UNITED
NATIONS

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General Assembly Security Council

Distr.
GENERAL

A/46/715
S/23257
2 December 1991
ENGLISH
ORIGINAL: ARABIC/ENGLISH

GENERAL ASSEMBLY
Forty-sixth session
Agenda item 98 (b)
HUMAN RIGHTS QUESTIONS, INCLUDING
ALTERNATIVE APPROACHES FOR
IMPROVING THE EFFECTIVE
ENJOYMENT OF HUMAN RIGHTS
AND FUNDAMENTAL FREEDOMS

SECURITY COUNCIL
Forty-sixth year

Letter dated 27 November 1991 from the Permanent Representative of the Sudan to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit herewith a letter received by the Ambassador of the Republic of the Sudan to Iraq from Mr. Mustafa Mohamed Saeed, a Sudanese national, regarding injuries and abuse he suffered while living and working in Kuwait during the Gulf War.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under agenda item 98 (b), and of the Security Council.

(Signed) Joseph LAGU
Permanent Representative

ANNEX

Letter dated 25 June 1991 from Mr. Mustafa Mohamed Saeed addressed to the Ambassador of the Sudan to Iraq

I the Sudanese citizen Mustafa Mohamed Saeed al-Hajj Tum, resident in Kuwait for 12 years, from 1977 to 1991, was in Kuwait on the day when the Iraqi troops withdrew, in an automobile repair workshop and spare parts store under the sponsorship of the Muttahidah Mechanics Company in Shuwaikh, whose proprietor was my sponsor, Awad Hamud Munir. I worked all through the period of the recent events and the war in Kuwait. After the Iraqi withdrawal and the return of Kuwait to the Kuwaiti authorities, some armed Kuwaitis of the so-called "resistance" came to my house and took me to the Rabiyah area guard post on 27 February 1991. The persons who took me to the guard post were 1st Lieutenant Fawaz al-Azimi and Nawaf al-Azimi, whose rank I do not know. With them were two other persons in a car whose names I do not know. They searched the house on the pretext that I belong to Iraqi Intelligence, and they wanted me to hand over the weapons that they alleged to be in my possession. When they found nothing, they took a small Samsonite case on the grounds that it contained the alleged weapons, whereas the case contained papers and documents and sums of money consisting of 35,000 Iraqi dinars, as well as 11,000 United States dollars and 1,700 Kuwaiti dinars. Following my arrival at the guard post, the torture, maltreatment, and personal humiliation began. They called us "Sudanese traitors". All this took place before a gathering of Kuwaiti citizens assembled in front of the guard post. Then I was placed in the holding cell, and with that began another kind of more repugnant and quite merciless torture. I was kicked and beaten with rifle-butts and sometimes with sticks and was placed in the bathroom for four days. I was brought out every two hours for more beating. Particularly when a soldier came who had not yet beaten me, he would beat and humiliate me. When Nawaf al-Azimi came, he would take me to a room, blindfolded and with my hands handcuffed behind me. Then he would begin to beat me and humiliate me and would demand that I write a renunciation of all my property in Kuwait and my will and testament, because I would be executed shortly. On the fifth day, I was transferred to the Aridiyah police post, and there parts of my body were burnt and cauterized with a hot iron. I was deprived of food and drink and placed in an isolation cell for three days. Then another accusation was launched against me, namely the rape of five Kuwaiti girls. Then I was moved to another jail in the Umri area. There were approximately 750 prisoners there of various nationalities, Sudanese and others. I met some of the Sudanese who had been with me at the Rabiyah guard post, and they were very happy to see me, because they had believed that I had been executed. Nawaf al-Azimi had told them so. From the Umri area jail, which consisted of a school, I was moved to Human Resources Centre jail at Military Intelligence Headquarters inside the Human Resources Camp. There I was interrogated by 1st Lieutenant Jasim. He mentioned to me the names of some Sudanese and wanted to know my relations with them. He said that they were working with the Iraqi Army. I did not know them, and I told him so and said that I had been residing in Kuwait for 12 years and had employment and interests there.

Then he mentioned to me the names of some Sudanese working with the Kuwaiti Army. I knew one of them, namely, Abu Bakr Sa'id, who worked as an instructor for Kuwaiti Intelligence and might have taught him before he graduated as an officer. The interrogating officer knew him well. Then he said to me: "Mustafa, there is no charge of raping Kuwaiti girls against you. The investigation was conducted in order to ascertain that you were not collaborating with Iraqi Intelligence. God willing, all is well". I was detained for two more days, and on the third day I was moved to 15th Brigade military jail. When I arrived, some others were with me, and we got down from the truck one after the other. Those who were to be executed were separated from the rest. They had their files with them, and on mine was a red X-sign. They usually destroyed and burned the files of those who were to be executed, and no use was made of all papers and documents, such as passports, that proved that they had a prisoner named such and such, who had been executed. Then I was detained in an isolation cell; one of the ones they called death cells. A 16-year-old youth was with me, in order to fill the cells, and he died in the cell from the severe torture to which he had been subjected. His body was removed from the cell on the second day after it had swollen up. At the same time, I was taken from the cell, and we were placed in the sun. There were others. The beating began, and sandbags were placed on our chests and our backs. That continued until sunset. Then an officer came who believed, according to what he said, that we were some of the new prisoners. He gave an order to the soldiers to put me and another Sudanese named Abd al-Mun'im in an enclosure where there were some 100 Sudanese, and the same was done to other nationalities, i.e., they were placed by nationality. He did not know that we were condemned to death and in the cells. It was a stroke of fate and the will of God. When I was placed with all this group, I was in a lamentable state. My right forearm was swollen and dripping blood and pus because of the torture and the pressure of the handcuffs on my wrist. Four days after I was placed in this enclosure with no food or drink, my condition deteriorated further, and when a Kuwaiti "military" doctor and an Egyptian "military" nurse came, I was released and moved to the hospital, at the request of the Kuwaiti doctor. He did not know that I was one of those condemned to death, and the Egyptian nurse remonstrated and said: "He can be washed and cleaned up and take treatments. There is no need to move him to the hospital." The Kuwaiti doctor insisted on taking me to the hospital, together with three others, Palestinians. When a Kuwaiti officer asked the doctor why he was moving me to the hospital, the Kuwaiti doctor told him that the Red Cross had discovered the locations of the jails and was on its way there. "And when it discovers what the conditions are like, it will cause us many problems." Accordingly, I was moved to the hospital in a large open pick-up truck, blindfolded and handcuffed, accompanied by a guard, to the hospital known as Addan Hospital, which refused to admit me, then to the Mubarak al-Kabir Hospital which refused to admit me, then to the Al-Sabah Hospital, which also refused to admit me, and lastly, to the Farwaniyah Hospital, where I was admitted. When the doctor asked me my name so that he could record it in the file, the officer who brought us, whose name was Al-Shatti, placed his revolver on my head and said: "I warn you against mentioning your name to any person whatsoever as long as you are in the hospital". At this point the doctor came in to find out my name. He was of

Egyptian nationality, and the Kuwaiti officer took him aside and spoke with him. When the Egyptian doctor returned, he did not ask my name again. Thus, I became patient No. 2 in wing No. 18, room No. 7, bed No. 2. The doctors decided to take skin from my thigh to be grafted on my right hand, and I was put in the intensive care room for four days. Then the chief specialist came. He was an Egyptian doctor named Dr. Abu Jabal. He said: "Prepare yourself for the operation". A young Palestinian surgeon was with him. The time for the operation came, but God so willed it that there was no oxygen available at that time, and the operation was postponed until oxygen was available. A Tunisian nurse named Mohammad ibn Sha'ban came to me and advised me not to have the operation because of the inefficiency of the hospital medical equipment, "no sterilization of the instruments - widespread tetanus", although it seemed better for my condition to extend my stay in hospital so as not to return to the jail and the torture. After approximately 11 days from my admission to hospital, a group from the Red Cross came and were surprised at the lists which they had with them, which they had received from the Prison Administration. It clarified the question for them, and I was a nameless prisoner and patient in the hospital. Each time they came to the hospital, they recorded a visit to me and then produced a Red Cross card for me and gave it to me in the hospital. Some Kuwaiti officers and soldiers used to come to the hospital and torture the patients in the hospital on the pretext of interrogating them. They avoided me once they learnt from the guards there that I had spoken more than once with the Red Cross representatives in English. Those officers and soldiers took some patients away from the hospital, and they did not return thereafter. I stayed in the hospital for 27 days. When the doctor learnt that the wound on my right hand had begun to heal and that there was no need for an operation, he decided to discharge me from the hospital. I asked the Red Cross representatives to extend my hospital stay, and they explained to me that the situation in the jail was not as it had been at first and that there was care, food and drink. Then I moved to the Juvenile Prison in the Aridiyah area. Those persons or prisoners whose names were on the lists, who numbered 650, were separated from the 80 or so other prisoners, whose names were put on the list. I was one of them. Interrogation began with the prisoners whose names were on the lists, and those whose names were not there were placed in the suspects' section. I was in this section. A young Kuwaiti soldier in his twenties named Na'man used to come to the suspects' section, and when he came all the prisoners in the section were required to stand. He would then ask: "What is my name?" And all would reply with one voice: "Mr. Na'man, may God be pleased with him". Anyone who objected was subjected to violent beatings. There was also a lieutenant named Hajjaj, who used to gather together the prisoners at night in one place. They would then stand in a line and one by one give him a military salute and kiss his shoulder. Those who did not salute properly he ordered beaten. After the end of this drama, another more humiliating one would commence. He would order the prison trusty, a "cooperating prisoner", to choose six "wives" from the prisoners, and when they were chosen, the officer in charge would order them to tie towels around their waists and pass through the whole jail all shouting at the top of their voice "I am Hajjaj's wife No. 1" or "No. 2" and so on up to No. 6. When the "wife" prisoner refused to do this, he was beaten violently until he fainted. One day, one of the

Sudanese prisoners, named Bashir Hasan Hamid, known as Bashir Wudd al-Arbaji, refused to give the military salute to the officer Hajjaj, and the soldiers beat him. Bashir complained of officer Hajjaj to the prison director, who held the rank of major. When the major knew of that, he conducted an interrogation of the officer. On the second day, three soldiers came and made all the prisoners come down to the ground floor and they beat Bashir Wudd al-Arbaji until he fainted, and he defecated and urinated on himself, all in front of our eyes. When the soldiers realized that Bashir was in a grave condition, they took him and said they were taking him to the hospital. We were not sure about that. When the representatives of the Red Cross came, we told them that a colleague of ours named Bashir had been beaten by the soldiers, that they had taken him, as they said, to the hospital and that we wished to know whether he was actually there. The following day, the representatives of the Red Cross came and assured us that he was indeed in the hospital and that they would keep an eye on his condition. He remained in the hospital for three weeks. The soldiers then began to humiliate us. They called us "slaves" and insulted the Sudanese President, Omer El Bashir. The prison was then handed over to the office of the public prosecutor for another investigation to be carried out. The prosecutor sent for me and asked me on what charge I was being held, and I answered that I did not know. I did not tell him what had happened and the story about it because, as they believed, I had been executed and my identification documents subsequently destroyed. If they had known my story, they would have brought me before the court on the same charges as before. If the officer had known those who had tortured me, Fawaz and Nawaf, then it would have been even worse. The main point is that the prosecutor told me that there was no file on me and ordered my return to the cell. Three days later, the prosecutor sent for me again. He said to me: "There is no charge against you and, God willing, you will be set free". After I came out, with the permission of the prosecutor, one of the soldiers said to me, "Congratulations, you're free". I was then handed over to the deportation section. Torture also went on in the deportation prison, but to a lesser extent than before. We remained in the deportation prison for 16 days. When our turn came, they called out our names and told us that we would be leaving within two hours, and they gave us two hours to fetch our passports and belongings. They put us in a military vehicle under guard. There was nothing I could do but accept the situation. I was completely exhausted from the effects of the torture and from hunger and thirst. I felt a sharp pain in my ribs (two of them are broken). We arrived at the Rabiyah police station and I asked about my case, my passport and my money. The officer asked me: "How long is it since you have been here?" I answered: "Three months". He said to me: "Three months ago the Army was here and the resistance was here. We took over from them 20 days ago, and there was nothing deposited, no passports or anything else". We went to Aridiyah, and there we heard the same thing. We returned to the deportation section on the same day, and then we were deported to Iraq. The Red Cross received us at the border, the Iraqi authorities took delivery of us, and they set us free. That was on 17 June 1991 or thereabouts.

By writing to you in such detail, I have sought to convey to you a vivid picture of the treatment meted out in Kuwait to Sudanese and to persons of

other nationalities. The abuse and humiliation of Sudanese is continuing, both by the Government and by the people. We were often called "slaves" and "traitors". The treatment of Sudanese by Kuwaiti citizens and by the Kuwaiti Government has become extremely bad. The standing of the Sudanese is not as it was before. The jails are full of detainees, among whom are large numbers of Sudanese in the juvenile prison and the deportation prison, and there are others in the police stations. The names of most of them are registered with the Red Cross. You will not find with the Red Cross or at the police stations and jails the names of those who were executed or those who died under torture because their files and all of their identification documents were destroyed with them. I should say that most of the Sudanese who are not now in jail will be imprisoned by the Kuwaitis on any charge whatever so that they can get rid of them and deport them from Kuwait. If the jails and police stations had not been full, they would have been there with us.

I, Mustafa Mohamed Saeed, a Sudanese national, worked in Kuwait for 12 years, and I own an automobile repair shop, a spare parts store and a fully furnished home there. Through you and through the Ministry of Foreign Affairs, I demand from those who believe that I am among the dead, may their fortune miscarry the following:

1. Compensation for all the damages I have suffered and for my property in Kuwait. (They tortured me and beat me, and they said to me: "You are going to die, so you must renounce your property to us in writing". They killed several in front of me, saying my lot would be the same. But I did not break, because I thought: "If it is a question of death, then it is death, so why do so?")

2. Return of the case and the money (since the passport has certainly been destroyed) that they took from me at the guard post in the Rabiyah area on the first day of my imprisonment on 27 February 1991. Those who took me to the guard post then were 1st Lieutenant Fawaz al-Azimi and Nawaf al-Azimi (whose rank I do not know).

I earnestly alert your attention to the situation of Sudanese in Kuwaiti jails and detention centres and to the need to gain access to them before time runs out. I earnestly alert your attention to those outside the prisons who are subjected to such conditions. I affirm the truth of all the information contained in this letter and my full responsibility for everything stated herein.